GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Transport Department – Allegation of collection of illegal amounts from the Transport Operators against the officials of the office of the Deputy Transport Commissioner, Guntur – Sri Sk. Md. Mahaboob, Attender (Retired) - Disciplinary Proceedings initiated under APRPRs,1980 – TDP enquiry Conducted – Charge established – Imposition of penalty of Withholding of 5% Pension permanently – Orders – Issued.

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TRANSPORT, ROADS AND BUILDINGS (VIG-Tr[1]) DEPARTMENT

G.O.RT.No. 247 Dated: 25-04-2016

READ – the following:-

1) From the Director General, Anti Corruption Bureau, Hyderabad Letter C.No.40/DES-VGT/2004, Dated 12.10.2004.
2) Govt. Letter No.12019/Vig.III/2/2004-3,Dated. 12.7.2005.
3) From the Secretary, Tribunal for Disciplinary Proceedings, Hyderabad, Lr.Dis.No.454, Dated 12.06.2006.
4) G.O.Ms.No.7 and G.O.Rt.No.57 of Transport, Roads & Buildings (Vig.III) Department, dt.10.01.2007
5) From the Secretary, Tribunal for Disciplinary Proceedings, Hyderabad, Lr.Dis.No.S/10/2010, Dated 29.5.2010.
6) Govt.Memo.No.12019/Vig.III/2/2004-14, Dated 8.11.2010.
7) Representation from Sri Sk. Md.Mahaboob, Attender (Retd).
8) Govt.Memo.No.12019/Vig.III/2/2004-20,Dated 10.06.2013.
9) Representation from Sri Sk.Md.Mahaboob, Attender(Retd), dated 22.03.2016.

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ORDER:

Based on the surprise check conducted by the Anti Corruption Bureau Officials on 27/28.5.2004, over the office of the Deputy Transport Commissioner, Guntur Sri Sk.Md.Mahaboob, Attender(Retd) O/o. Deputy Transport Commissioner, Guntur was placed on his defence before the Tribunal for Disciplinary Proceedings along with other officials vide Government letter 2nd read above.

2. In his Letter 3rd read above, the Secretary, Tribunal for Disciplinary Proceedings, Hyderabad inter-alia stated that Sri Sk.Md. Mahaboob, Attender retired on 30.06.2004 on attaining the age of superannuation and that the Tribunal has no jurisdiction to inquire into the charges framed against the retired employee and requested to initiate departmental action as per Rule 9(2) (b) of A.P Revised Pension Rules, 1980.

3. Govt. in the G.O 4th read above, have initiated disciplinary proceedings against him.

4. In the mean time, the Tribunal for Disciplinary Proceedings has conducted a detailed enquiry against Sri Sk.Md.Mahaboob,, Attender (Retd) along with others and submitted its report in TEC No.19/2006 through letter 5th read above duly holding that the charge framed against him is established.

5. In the Memo 6th read above a copy of the enquiry report has been communicated to Sri Sk.Md.Mahaboob,, along with others for his representation if any in the matter for which, he in the reference7th read above submitted his representation stating inter-alia that the

(PTO)

entire report of the TDP is totally perverse and one sided and also against to the principles of natural justice, fair play and equity and the same is liable to be rejected outright as the findings of the TDP holding him guilty of the charge is not based on any legal, trustworthy and acceptable evidence either documentary or oral available on record and therefore requested to drop further action against him.

6. Government, after careful examination of the matter have viewed that the representation of the charged officer is not satisfactory and therefore proposed to impose a punishment of withholding of 5% of pension permanently against Sri Sk.Md.Mahaboob, Attender (Retired).

7. In the Memo 8th read above, a Show Cause Notice as to why the punishment of withholding of 5% pension permanently should not be imposed against him under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 has been issued to Sri Sk.Md.Mahaboob,, Attender(Retd).

8. Sri Sk.Md.Mahaboob, Attender(Retd) in the reference 9th read above submitted his Representation, inter-alia stating that he had no amount at the time of the ACB raid, as also admitted by the official mediator and also the ACB Officials, as also projected in the mediation report of the ACB Authorities. The allegation of appointing private individuals for collecting illegal amount has also been rooted out and the same is not established beyond any reasonable doubt; that he colluded with the office staff and collected amounts from the public illegally through private persons and shared the same among ourselves and thereby he was guilty of misconduct is not at all proved and established in any manner, viewed from any angle and requested to drop further action against him.

9. Government, after careful examination of the mater taking into consideration of the facts and circumstances of the case, have decided to impose a punishment of Withholding of 5% Pension permanently against Sri Sk.Md.Mahaboob, Attender(Retd).

10. Accordingly, Government hereby impose the punishment of Withholding of 5% Pension permanently against Sri Sk.Md.Mahaboob,, Attender(Retd).

11. The Transport Commissioner, Andhra Pradesh, Hyderabad shall take further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.SAM BOB
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Sk.Md.Mahaboob,, Attender(Retd) through the Transport Commissioner, Andhra Pradesh, Hyderabad.
The Transport Commissioner, Andhra Pradesh, Hyderabad.

Copy to:
The Director General, Anti Corruption Bureau, Andhra Pradesh, Hyderabad.
The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER